

IC 36-9-23

Chapter 23. Municipal Sewage Works

IC 36-9-23-1

Sec. 1. This chapter applies to all municipalities.

As added by Acts 1981, P.L.309, SEC.96.

IC 36-9-23-30

Sec. 30. (a) Subject to subsection (b), a municipality that operates sewage works under this chapter or under any statute repealed by IC 19-2-5-30 (repealed September 1, 1981) may require:

- (1) connection to its sewer system of any property producing sewage or similar waste; and
- (2) discontinuance of the use of privies, cesspools, septic tanks, and similar structures.

(b) A municipality may exercise the powers granted by subsection (a) only if:

- (1) there is an available sanitary sewer within three hundred (300) feet of the property line of the affected property; and
- (2) it has given notice by certified mail to the property owner at the address of the property, at least ninety (90) days before the date specified for connection in the notice.

(c) A municipality may establish, enforce, and collect reasonable penalties for failure to make a connection under this section.

(d) A municipality may apply to the circuit or superior court for the county in which it is located for an order to require a connection under this section. The court shall assess the cost of the action and reasonable attorney's fees of the municipality against the property owner in such an action.

As added by Acts 1981, P.L.309, SEC.96. Amended by P.L.3-1990, SEC.135.

IC 36-9-23-36

Sec. 36. A municipality may exercise powers granted by this chapter in areas within ten (10) miles outside its corporate boundaries. However, this mileage limitation does not apply to the provision of sewage treatment service for an entity that is described in section 16(b)(2) of this chapter.

As added by Acts 1981, P.L.309, SEC.96. Amended by P.L.318-1989, SEC.2.